

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE SUBURBAN TEAMSTERS)
OF NORTHERN PENSION FUND,)
Plaintiffs,)
Case No.: 2011 C 3965
v.)
Judge Der-Yeghiayan
PATRICK STRADER TRUCKING, INC.)
a dissolved Illinois corporation,)
Magistrate Judge Mason
Defendant.)

MOTION FOR JUDGMENT IN SUM CERTAIN

NOW COMES the Plaintiff, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS PENSION FUND, by and through its attorney, JOHN J. TOOMEY, ARNOLD AND KADJAN, and pursuant to FRCP 55 move for judgment in sum certain as stated in this Complaint and the supporting Affidavits attached hereto. In support of its Motion, Plaintiff states as follows:

1. Suit was filed on June 10, 2011 for collection of withdrawal liability plus attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2).
2. Service was made upon Patrick Strader Trucking, Inc., a dissolved Illinois corporation upon the Secretary of State on August 8, 2011 and a copy of the proof of service was filed with the court on August 11, 2011.
3. On August 12, 2011 counsel forwarded a letter to Defendant enclosing Alias Summons, Affidavit of Compliance for Service for Service on Secretary of State and copy of the Complaint at Law. (Exhibit "A").
4. Service was made upon Patrick Strader Trucking, Inc., a dissolved Illinois corporation on August 16, 2011 and a copy of the proof of service was filed with the court on August 23, 2011.

5. Defendant is now in default as to the Complaint and as supported by the attached Affidavits the sums due are:

\$28,305.00 Pension withdrawal liability
\$925.00 Attorneys fees
\$360.00 Court costs
\$29,590.00

WHEREFORE, Plaintiff prays for:

1. Entry of judgment against Defendant, Patrick Strader Trucking, Inc., a dissolved Illinois corporation, and in favor of Plaintiff, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS PENSION FUND in the amount of \$29,590.00.

TRUSTEES OF THE SUBURBAN TEAMSTERS
OF NORTHERN ILLINOIS PENSION FUND

s/John J. Toomey
ARNOLD AND KADJAN
19 W. Jackson Blvd., Suite 300
Chicago, IL 60604
Telephone No.: (312) 236-0415
Facsimile No.: (312) 341-0438
Dated: August 30, 2011

EXHIBIT A

LAW OFFICES

ARNOLD AND KADJAN
203 NORTH LASALLE STREET
SUITE 1650
CHICAGO IL
60601

TELEPHONE (312) 236-0415
FAX # (312) 341-0438

PLEASE REFER TO
OUR FILE NUMBER

HUGH B. ARNOLD
JOHN J. TOOMEY
JOHN F. ETZKORN
DONALD D. SCHWARTZ
STEVEN F. McDOWELL

JAMES R. ANDERSON
PAIGE E. ARNOLD
PAUL M. EGAN
SHANE C. LUEDKE
GREGORY W. HOSE
THOMAS R. ALLEN
ANDREW S. PIGOTT

DANIEL N. KADJAN
RETIRED 1993



August 12, 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED and
REGULAR MAIL
Patrick Strader Trucking, Inc.
Attn: Patrick Strader
37 W 767 Dean St.
St. Charles, Illinois 60175

Re: Suburban Teamsters v. Patrick Strader
Trucking, Inc.
Case No.: 2011 C 3965

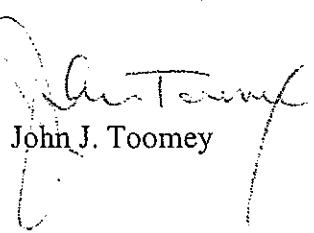
Dear Sir:

Enclosed please find a copy of an Affidavit of Compliance for Service on Secretary of State and Alias Summons filed with the Illinois Secretary of State on August 9, 2011 in the above matter. I have also enclosed a copy of the Complaint at Law.

Yours truly,

ARNOLD AND KADJAN

By:


John J. Toomey

JJT:cc

Enclosure

Form **BCA-5.25**

(Rev. Jan. 2003)

**AFFIDAVIT OF COMPLIANCE FOR SERVICE
ON SECRETARY OF STATE UNDER THE
BUSINESS CORPORATION ACT**

File # 5766 (542)

Jesse White
Secretary of State
Department of Business Services
Springfield, IL 62756
217-524-6748
www.cyberdriveillinois.com

Remit payment in check or money
order payable to Secretary of State.

This space for use by Secretary of State.

SUBMIT IN DUPLICATE

FILED

AUG 9 - 2011

**JESSE WHITE
SECRETARY OF STATE**

Date: August 9, 2011

Filing Fee: \$10

Approved: JW

1. Title and Number of Case: Trustees of the Suburban Teamsters of Northern Illinois Pension Fund first named plaintiff
Patrick Strader Trucking, Inc. first named defendant
a dissolved Illinois corporation Number 2011 C 3965
2. Name of corporation being served: Patrick Strader Trucking, Inc., a dissolved Illinois corporation
3. Title of court in which an action, suit or proceeding has been commenced: U. S. District Court - NORTHERN DISTRICT OF ILLINOIS
4. Title of instrument being served: Alias Summons and Complaint at Law
5. Basis for service on the Secretary of State: (check and complete appropriate box)
 - The corporation's registered agent cannot with reasonable diligence be found at the registered office of record in Illinois.
 - The corporation has failed to appoint and maintain a registered agent in Illinois.
 - The corporation was dissolved on March 4, 2011; the conditions of paragraphs (a) or (b) above exist; and the action, suit or proceeding has been instituted against or has affected the corporation within five (5) years thereafter.
 - The corporation's authority to transact business in Illinois has been withdrawn/revoked (circle one) on _____, _____.
 - The corporation is a foreign corporation that has transacted business in Illinois without procuring authority, contrary to the provisions of the Business Corporation Act of 1983.
6. Address to which the undersigned will cause a copy of the attached process, notice or demand to be sent by certified or registered mail: 37 W. 767 Dean Street, St. Charles, Illinois 60175

7. The undersigned affirms, under penalties of perjury, that the facts stated herein are true, correct and complete.

John J. Toomey
Signature of Affiant
(312)

Telephone Number

August 8 2011
Month & Day Year

**TENDERED CHICAGO
CORP. DEPARTMENT**

Return to (please type or print clearly):

John J. Toomey, Arnold and Kadjan

Name

203 N. LaSalle Street, Suite 1650

Street

Chicago, Illinois 60601

City/Town

State

ZIP

**ACCEPTANCE AND "FILED" DATE
ESTABLISHED ONLY AFTER
REVIEW**

AUG 8 - 2011

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
ALIAS SUMMONS IN A CIVIL CASE

TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS PENSION FUND,) Case No.: 2011 C 3965
v.) Judge Der-Yeghiayan
PATRICK STRADER TRUCKING, INC., a dissolved Illinois corporation) Magistrate Judge Mason

TO: (Name and address of defendant)

PATRICK STRADER TRUCKING, INC.
a dissolved Illinois corporation
c/o Secretary of State
69 W. Washington Street
Suite 1240
Chicago, Illinois

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY:

JOHN J. TOOMEY
ARNOLD AND KADJAN
203 N. LaSalle Street, Suite 1650
Chicago, Illinois 60601

an answer to the complaint which is herewith served upon you, within 21 days after service of this summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Michael W. Dobbins, Clerk

Date

(by) Deputy Clerk

MICHAEL W. DOBBINS, CLERK

Michael W. Dobbins

(By) DEPUTY CLERK



August 4, 2011

DATE